

REMARKS

STATUS OF CLAIMS

Claims 1-21 are pending. Claims 1, 12, 14, 18 and 21 have been amended for clarity purposes and not for reasons substantially related to patentability. Accordingly, no new matter has been added by these amendments and no estoppels are intended thereby.

Reconsideration and withdrawal of the outstanding rejections is respectfully requested in view of the following remarks.

OFFICE ACTION

REJECTIONS UNDER 35 U.S.C. § 102(b)

(1) Claims 1-21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kocsuta (U.S. Pat. No. 2,950,132). Applicant respectfully traverses this rejection.

Applicant notes that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. M.P.E.P. § 2131 (quoting *Verdegall Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987)).

Claim 1 has been amended to recite in the preamble a retaining ring movable between an unyielded state and a yielded state. Claim 1 has been further amended to recite that the retaining ring is formed from a yieldable material that yields when moved from the unyielded state to the yielded state. Claim 12 has been similarly amended to recite an unyielded state.

The term "yield" is known in the art to mean going beyond the elastic limit of an object or part such that the part or object will not return to its original shape or position. Further, *Webster's Third New International Dictionary* at page 2652, defines yield as "to give way under physical force as to bend, stretch, or break." See Webster's Third New International Dictionary,

Merriam-Webster INC., Springfield, Massachusetts, Copyright 1993. A copy of the title pages of the Dictionary along with page 2652 are attached for convenience

The yield characteristic of the retaining ring disclosed in claim 1 provides a twist ring that has little or no shape memory that allows the twist ring and its various components, to be yielded or shaped into desired positions. Once the twist ring is yielded into a desired shape or position, the shape or position is maintained by the ring and the ring does not spring back into its original shape. This allows for easy installation and removal of the twist ring. Support for this can be found, for example, in at least paragraphs 27 and 28 of the specification as filed.

The Kocsuta patent does not disclose this aspect of claim 1. To the contrary, Kocsuta discloses a *resilient* ring that *has* shape memory. The ring 6 is compressed upon exertion of a force, however once the force is removed, the spring 6 springs back or returns to its original shape. See, for example, column 1, lines 62-72 of the Kocsuta patent. Therefore, the ring is not formed from a yieldable material, as recited in the claims. Accordingly, claim 1 and dependent claims 2-13 are allowable for at least this reason.

Claim 14 has been amended to recite a method that twists the retaining ring into a yielded state and an unyielded state. As previously discussed in response to the § 102(b) rejection to claims 1-13, the Kocsuta patent fails to disclose this aspect of the claims. In fact, Kocsuta discloses a *resilient* ring that does not yield. Claim 14 is allowable for at least this reason. Claims 15-17 depend from claim 14 and are allowable for at least this reason.

Claim 18 has been amended for purposes of clarity to recite yielded state and unyielded state. Thus, independent claim 18, and therefore dependent claims 19-20 recite moving the ring from a first unyielded state to a second, yielded state. As previously discussed in response to the § 102(b) rejection to claims 1-13, the Kocsuta patent fails to disclose a ring that is yieldable, as

recited in claims 18-20. In fact, Kocsuta does not disclose a yieldable ring, but to the contrary, discloses a *resilient* ring. Claims 18-20 are allowable for at least this reason.

Claim 21 has been amended both in the preamble and the body of the claim to recite an unyielded state and a yielded state. Again, the Kocsuta patent fails to disclose this aspect of the claims. The Kocsuta patent fails to disclose a yieldable ring, and to the contrary, discloses a *resilient* ring that does not yield but springs back. Claim 21 is allowable for at least this reason.

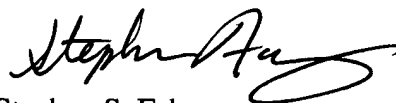
Accordingly, for at least the reasons stated above, Applicant respectfully requests that this § 102(b) rejection to claims 1-21 be withdrawn.

In view of the foregoing, reconsideration and allowance of the application are believed in order, and such action is earnestly solicited.

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned attorney at 202/861-1714.

Respectfully submitted,

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Attachment – Appendix

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APPENDIX – MARKED-UP VERSION OF AMENDMENTS

Please amend the claims as follows:

1. (Amended) A retaining ring movable between an unyielded [uncompressed] state and a yielded [compressed] state, comprising:

a generally C-shaped region having an inner peripheral surface; an outer peripheral surface; a first end; and a second end,

wherein said retaining ring is formed from a yieldable material that yields when moved from the unyielded [uncompressed] state to the yielded [compressed] state.

12. (Amended) The retaining ring according to claim 3, wherein said first and second legs are substantially straight and point toward each other in the unyielded [uncompressed] state.

14. (Amended) A method for retaining an inner component within an outer component using a retaining ring comprising:

twisting the retaining ring in first direction using a tool, reducing the diameter of the ring and causing the ring to yield into a yielded [compressed] state;

aligning the ring with a groove in the outer component; and
twisting the retaining ring in second direction opposite to the first direction using the tool, increasing the diameter of the ring and causing the ring to yield into an unyielded [uncompressed] state.

18. (Amended) A method for retaining an inner component within an outer housing using a retaining ring comprising:

moving the ring from a first, unyielded [uncompressed] state, to a second, yielded [compressed] state by rotating a tool engaged with opposed legs of the ring;

aligning the ring with a groove in the housing; and
moving the ring from the second, yielded [compressed] state into the first, unyielded [uncompressed] state by rotating the tool engaged with the legs of the ring,
wherein the first step of moving the ring from the first state to the second state causes the material of the ring to yield, and wherein the second step of moving the ring from the second state to the first state also causes the material to yield.

21. (Amended) A retaining ring movable between an unyielded [uncompressed] state and a yielded [compressed] state, comprising:

a generally C-shaped region having an inner peripheral surface, an outer peripheral surface, a first end; and a second end, said retaining ring being formed from a yieldable material that yields when moved from the unyielded [uncompressed] state to the yielded [compressed] state; and

a first leg extending from said first end and having first tool receiving means for receiving a tool; and

a second leg extending from said second end and having second tool receiving means for receiving a tool.